

REMARKS

Claims 1-34 are currently pending in this application. By this Amendment, claims 19 and 20 are cancelled, and claim 1 has been amended. The amended claims set is provided herewith. Applicant has corrected the errors as noted by the Examiner. A revised Terminal Disclaimer, with the appropriate fee, is attached hereto.

Non-Statutory Obviousness-Type Rejections

Claims 1-34 have been rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-108 of King, U.S. Patent No. 6,745,079, in view of Hassett, U.S. Publication No. US2001/0005783.

The present application is a continuation of King, U.S. Patent No. 6,745,079 and the present application and King, U.S. Patent No. 6,745,079 are both owned in whole by Applicant. A terminal disclaimer with the appropriate fee, disclaiming the subject matter of the present claims beyond the term of King, U.S. Patent No. 6,745,079, is attached hereto. It is respectfully submitted that this Terminal Disclaimer obviates the outstanding double patenting rejection.

§ 103 Rejection of the Claims

Claims 1-19 and 21-27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Bush, et al., U.S. Patent No. 5,282,845, in view of Hassett, U.S. Publication No. US2001/0005783. Applicant notes that claims 20 and 28-34 have not been so rejected. Applicant has amended claim 1 to incorporate the limitations of claims 19 and 20, along with removal of the language “tightly” and “compact” since this was not given patentable weight by the Examiner. Applicant respectfully submits therefore that claim 1 as amended is patentable and requests allowance. Applicant also respectfully submits that claims 28-34 are in condition for allowance. Claims 2-18 are dependent on amended claim 1 and are therefore allowable for at least the same reasons as amended claim 1. Claims 19 and 20 have been cancelled as such limitations are now incorporated into claim 1. Withdrawal of this rejection is respectfully requested.

In view of the foregoing amendments, Applicants respectfully request reconsideration and allowance of the claims as all rejections have been overcome. Early notice of allowability is kindly requested.

The Examiner is respectfully requested to contact the undersigned by telephone at 763.505.0429 or by e-mail at john.w.albrecht@medtronic.com with any questions or comments.

Please grant any extension of time, if necessary for entry of this paper, and charge any fee due for such extension or any other fee required in connection with this paper to Deposit Account No. 13-2546.

Respectfully submitted,

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